

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Campbell Analyst: Darrine Distefano Bill Number: AB 2482
Related Bills: See Legislative History Telephone: 845-6458 Introduced Date: 02-19-2004
Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agency Reports/Submit in Electronic Form & Summary in Physical Copy/Submit Reports to Legislature in Electronic Form & Provide Physical Copy Upon Request

SUMMARY

This bill would require a state agency to submit a report in electronic format as specified.

PURPOSE OF THE BILL

It appears that the purpose of this bill is to provide a cost savings to the state as well as provide easier access to government information.

EFFECTIVE/OPERATIVE DATE

This bill would be effective and operative January 1, 2005.

POSITION

Pending.

ANALYSIS

STATE LAW

State law provides that any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly, unless the report is required or requested by law to be directed to a committee or other specified entity within the Legislature. Each report is required to include a one-page summary of the report's contents.

Under current state law, the Franchise Tax Board (FTB) is required to produce the following five legislatively mandated reports on an annual basis:

- ❖ Summary of Federal Income Tax Changes (submitted to the Legislature),
- ❖ Annual Taxpayers' Bill of Rights Report (submitted to the Legislature),
- ❖ Audit and Collections Activities (submitted to the Legislative Analyst's Office (LAO) and the Legislature),
- ❖ Audit Protest Cases (submitted to LAO, the Legislature, and Department of Finance), and
- ❖ Enterprise Zones (submitted to the Legislature and the Department of Housing and Community Development).

Board Position:

_____ S	_____ NA	_____ NP
_____ SA	_____ O	_____ NAR
_____ N	_____ OUA	<u> X </u> PENDING

Department Director

Date

Gerald H. Goldberg

4/12/04

THIS BILL

This bill would require that when a state agency submits reports to the Legislative Counsel, Secretary of the Senate, and Chief Clerk of the Assembly it must do so electronically. Also, this bill would require a physical copy of the report's one-page summary to be submitted to the same parties.

This bill would require a state agency that submits a report to a committee or other specified entity within the Legislature to submit the report in electronic form and to provide a physical copy upon request.

IMPLEMENTATION CONSIDERATIONS

Implementing this bill would not significantly impact the department's programs and operations.

LEGISLATIVE HISTORY

AB 79 (Dutra, 2003/2004) would limit the number of reports made to the Legislature or Governor by state and local agencies. This bill is currently in the Senate Committee of Governmental Organization.

AB 2198 (Liu, 2003/2004) would require a state agency to distribute a report in a specified manner. This bill would also require a state agency to submit a report in electronic format, specify an Internet web site where the report can be downloaded, and specify a telephone number to call to order a physical copy of the report. This bill is currently in the Assembly Business & Professions Committee.

SB 2119 (Hurt, 1997/1998) would have provided that every state agency that is required by the Legislature to prepare and submit a report to the Legislature shall place the report on the Internet and notify the Legislature of the report's availability by electronic mail via the Internet. This bill failed to pass out of the Assembly.

OTHER STATES' INFORMATION

Florida, Illinois, Massachusetts, Michigan, Minnesota, and New York laws require most state agencies to submit reports in printed form to the Legislature. It does not appear that these states require reports to be distributed electronically to the Legislature.

FISCAL IMPACT

This bill would not significantly impact the department's costs.

ECONOMIC IMPACT

This bill would not impact the state's income tax revenue.

LEGISLATIVE STAFF CONTACT

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